

# COMMITTEE REPORT

**Mr. President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed House Bill 1208 because it conflicts with SEA 57-2002 without properly recognizing the existence of SEA 57-2002, has had Engrossed House Bill 1208 under consideration and begs leave to report back to the Senate with the recommendation that Engrossed House Bill 1208 be corrected as follows:**

- 1       Page 1, delete lines 1 through 17, begin a new paragraph and
- 2       insert:
- 3       "SECTION 1. IC 34-6-2-103, AS AMENDED BY SEA
- 4       57-2002, SECTION 89, IS AMENDED TO READ AS
- 5       FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 103. (a)
- 6       "Person", for purposes of IC 34-14, has the meaning set forth in
- 7       IC 34-14-1-13.
- 8       (b) "Person", for purposes of IC 34-24-4, means:
- 9       (1) an individual;
- 10       (2) a governmental entity;
- 11       (3) a corporation;
- 12       (4) a firm;
- 13       (5) a trust;
- 14       (6) a partnership; or
- 15       (7) an incorporated or unincorporated association that
- 16       exists under or is authorized by the laws of this state,
- 17       another state, or a foreign country.
- 18       (c) "Person", for purposes of IC 34-26-2, includes
- 19       individuals at least eighteen (18) years of age and emancipated
- 20       minors.
- 21       (d) "Person", for purposes of IC 34-26-4, has the meaning set

1       forth in IC 35-41-1-22.

2       (e) "Person", for purposes of IC 34-30-5, means any of the  
3       following:

4           (1) An individual.

5           (2) A corporation.

6           (3) A partnership.

7           (4) An unincorporated association.

8           (5) The state (as defined in IC 34-6-2-140).

9           (6) A political subdivision (as defined in IC 34-6-2-110).

10          (7) Any other entity recognized by law.

11       (f) "Person", for purposes of IC 34-30-6, means an  
12       individual, a corporation, a limited liability company, a  
13       partnership, an unincorporated association, or a governmental  
14       entity that:

15          (1) has qualifications or experience in:

16           (A) storing, transporting, or handling a hazardous  
17           substance or compressed gas;

18           (B) fighting fires;

19           (C) emergency rescue; or

20           (D) first aid care; or

21          (2) is otherwise qualified to provide assistance appropriate  
22          to remedy or contribute to the remedy of the emergency.

23       (g) "Person", for purposes of IC 34-30-18, includes:

24          (1) an individual;

25          (2) an incorporated or unincorporated organization or  
26          association;

27          (3) the state of Indiana;

28          (4) a political subdivision (as defined in IC 36-1-2-13);

29          (5) an agency of the state or a political subdivision; or

30          (6) a group of such persons acting in concert.

31       (h) "Person", for purposes of sections 42, 43, 69, and 95 of  
32       this chapter, means an individual, an incorporated or  
33       unincorporated organization or association, or a group of such  
34       persons acting in concert.

35       (i) "Person" for purposes of IC 34-30-10.5, means the  
36       following:

- 1 (1) A political subdivision (as defined in IC 36-1-2-13).
- 2 (2) A volunteer fire department (as defined in
- 3 IC 36-8-12-2).
- 4 (3) An employee of an entity described in subdivision (1)
- 5 or (2) who acts within the scope of the employee's
- 6 responsibilities.
- 7 (4) A volunteer firefighter (as defined in IC 36-8-12-2)
- 8 who is acting for a volunteer fire department.
- 9 **(5) After March 31, 2002, a corporation, a limited**
- 10 **liability company, a partnership, an unincorporated**
- 11 **association, or any other entity recognized by law."**
- 12 Delete page 2.
- 13 Page 3, delete lines 1 through 2.
- 14 Page 4, between lines 17 and 18, begin a new paragraph and
- 15 insert:
- 16 "SECTION 3. [EFFECTIVE UPON PASSAGE] (a)
- 17 **Notwithstanding IC 34-6-2-103, the term "person" for**
- 18 **purposes of IC 34-30-10.5, means the following:**
- 19 **(1) A political subdivision (as defined in IC 36-1-2-13).**
- 20 **(2) A volunteer fire department (as defined in**
- 21 **IC 36-8-12-2).**
- 22 **(3) An employee of an entity described in subdivision**
- 23 **(1) or (2) who acts within the scope of the employee's**
- 24 **responsibilities.**
- 25 **(4) A volunteer firefighter (as defined in IC 36-8-12-2)**
- 26 **who is acting for a volunteer fire department.**
- 27 **(5) After March 31, 2002, a corporation, a limited**
- 28 **liability company, a partnership, an unincorporated**
- 29 **association, or any other entity recognized by law.**

- 1       **(b) This SECTION expires July 1, 2002."**
- 2       Renumber all SECTIONS consecutively.  
      (Reference is to EHB 1208 as printed February 22, 2002.)

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Senator GARTON, Chairperson

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Senator YOUNG, R.M.M.

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Senator LANDSKE